

APR 08 2005

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I hereby certify that the attached Transmittal (1 page) with Response to the Restriction Requirement dated March 11, 2005 (2 page), to the U.S. Patent and Trademark Office via facsimile number 703-872-9306 on the date shown below. (Total 3 pages).

  
Li Mei Vermilya

Date: April 8, 2005

PATENT APPLICATION  
Attorney's Do. No. 8750-038  
Client No. SPX200212-0009US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Sung-Jin KIM, et al.

Serial No. 10/685,655

Examiner: Vu, Hung K

Filed: October 14, 2003

Group Art Unit: 2811

Confirmation No. 5662

For:

PHOTO MASK SET FOR FORMING MULTI-LAYERED  
INTERCONNECTION LINES AND SEMICONDUCTOR  
DEVICE FABRICATED USING THE SAMETRANSMITTAL LETTERMail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

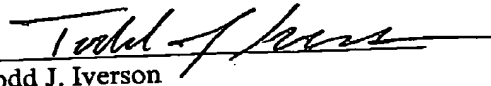
Enclosed for filing in the above-referenced application are the following:

- ☒ Response to Restriction Requirement  
☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Customer No. 20575

Respectfully submitted,

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Alexandria, VA 22313-1450RESPONSE TO RESTRICTION REQUIREMENT

This paper is responsive to the Restriction Requirement mailed on 11 March 2005, in which it is suggested that previously elected claims 7-20 are directed to patentably distinct species, namely, embodiment 1 (FIG. 3D), embodiment 2 (FIG. 3E), embodiment 3 (FIG. 5A), embodiment 4 (FIG. 5B), embodiment 5 (FIG. 5C), and embodiment 6 (FIG. 5D). It was also suggested that none of claims 7-20 are generic. The applicant respectfully traverses these suggestions.

In order for claims to be restricted to different species, they must be mutually exclusive. MPEP 806.04(f). The general test as to when claims are restricted to different species is the fact that one claim recites limitations which under the disclosure are found in a first species but not in a second, while a second claim recites limitations disclosed only for the second species and not the first. MPEP 806.04(f). This is frequently expressed by saying that claims, to be restricted to different species, must recite the mutually exclusive characteristics of such species. MPEP 806.04(f).

Claims 7-20 contain three independent claims, namely, claims 7, 12, and 17.

Independent claim 7 recites features that are shared by the embodiments illustrated in FIGs. 3D and 3E, and comprehends within its confines the organization of those embodiments. Thus, claim 7 is a generic claim. MPEP 806.04(e), 806.04(d). Independent claim 12 recites features that are shared by the embodiments illustrated in FIGs. 5A, 5B, and

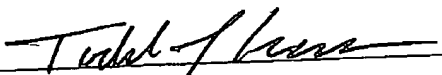
5D, and comprehends within its confines the organization of those embodiments. Thus, claim 12 is a generic claim. MPEP 806.04(e), 806.04(d). The embodiment illustrated in FIG. 5C corresponds to independent claim 17.

Thus, based on the above, the applicant provisionally elects claims 12-16 for prosecution.

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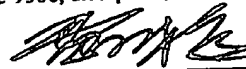
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703-872-9306, on April 8, 2005.

  
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